

Imape

GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

AE
~~3713~~

Attorney Docket No. P21330

In re application of : Toshiro TSUCHIDA et al.

Serial No. : 09/964,801

Group Art Unit: 3713

Filed : September 28, 2001

Examiner: C. MARKS

For : TURN BASED VIDEO GAME THAT DISPLAYS CHARACTER BATTLE SEQUENCE

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an Appeal Brief under 37 C.F.R. 1.192 (in trip) in the above-captioned application.

- ☐ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.
- ☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☐ A Request for Extension of Time.
- ☐ No Additional Fee.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 38	59*	0	x 9=	\$	x 18=	\$0.00
Indep. Claims: 6	*8*	0	x 42=	\$	x 84=	\$0.00
Multiple Dependent Claims Presented			140=	\$	+280=	\$0.00
Appeal Fee				\$		\$330.00
Total:				\$	Total:	\$330.00

*If less than 20, write 20

**If less than 3, write 3

- ☐ Please charge my Deposit Account No. 19-0089 in the amount of \$_____.
- ☒ A Check in the amount of \$330.00 to cover the filing fee is included.
- ☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3).

Bruce H. Bernstein
Bruce H. Bernstein
Reg No. 29,027
Reg. No. 15,915

P21330.A07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Toshiro TSUCHIDA et al.

Group Art Unit: 3713

Appln. No. : 09/964,801

Examiner: C. MARKS

Filed : September 28, 2001

For : TURN BASED VIDEO GAME THAT DISPLAYS CHARACTER
BATTLE SEQUENCE



APPEAL BRIEF UNDER 37 C.F.R. 1.192

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This appeal is from the examiner's final rejection of claims 1 - 4, 7 - 10, 18 - 21, 24 - 28, 31 - 36, 38, 46 - 49, 52 - 56, and 59 - 64, as set forth in the Final Office Action dated October 30, 2003.

A Notice Of Appeal was filed on January 30, 2004, in response to the Official Action dated October 30, 2003. The two month period for response was set to expire on March 30, 2004. Further, this Appeal Brief is being submitted in triplicate pursuant to 37 C.F.R. §1.192(a), together with a check including the requisite fee under 37 C.F.R. §1.17(c) in the amount of \$330.00 for the filing of the Appeal Brief.

If for any reason, however, the necessary fee is inadequate or is not associated with this file, the Commissioner is authorized to charge the fee for the Appeal Brief and any necessary extension of time fees to Deposit Account No. 19-0089.

Appellants respectfully request that the examiner's Final Rejection be reversed and that the application be returned to the Examining Group for allowance.

(1) REAL PARTY IN INTEREST

The real party in interest is Kabushiki Kaisha Square Enix (also trading as SQUARE ENIX, CO., LTD.).

(2) RELATED APPEALS AND INTERFERENCES

Appellants are presently not aware of any other appeals and/or interferences that will directly affect or be affected by or have a bearing on the Board's decision in the present appeal.

(3) STATUS OF THE CLAIMS

Claims 1 - 4, 7 - 10, 18 - 21, 24 - 28, 31 - 36, 38, 46 - 49, 52 - 56, and 59 - 64, the only claims now pending in the instant application, stand finally rejected.

Claims 5, 6, 11 - 17, 22, 23, 29, 30, 37, 39 - 45, 50, 51, 57, and 58 have been canceled.

Claims 7, 9, 24, 31, 38, 52, and 59 stand rejected under 35 U.S.C. §112, second paragraph.

Claims 1 - 4, 7 - 10, 18 - 21, 24 - 28, 31 - 36, 38, 46 - 49, 52 - 56, and 59 - 64 stand rejected under 35 U.S.C. §103(a) as being unpatentable over PERRIN et al. in view of PETERSON et al. in further view of TUFTE.

(4) STATUS OF THE AMENDMENTS

Amendments to claims 7, 9, 24, 31, 38, 52, 53, and 59 were proposed in an Amendment Under 37 C.F.R. 1.116 filed on February 11, 2004.

The examiner has refused to enter the amendments, as communicated in an advisory action mailed March 16, 2004. The appendix of the claims attached to this brief reflects the claims as finally rejected.

(5) SUMMARY OF THE INVENTION

The present invention is directed to a video game, in particular, battles between characters in the video game. Role playing games are one genre of video game played using a computer. In a typical role playing game, the player takes the role of a particular character in the game and experiences simulated adventures through the character that the player controls (referred to as the "player character") as the story unfolds. In many such games the player character and opposing characters (referred to as "enemy characters") are placed in set zones created in a virtual space. As the player character advances into a zone, the player character fights with an enemy character trying to thwart the player character's attempts to

achieve the goal of the story. The story advances when the player character defeats the enemy character.

Battle scenes typically are one-to-one battles between the player character and an enemy character, but video games in which multiple player characters battle multiple enemy characters make the game more interesting. The present invention contemplates video games in which multiple player characters battle multiple enemy characters in a single display screen. The sequence of play following each character performing a command on the screen, that is, which character has the next turn, is displayed on the screen, facilitating determination of the sequence of play following each character performing a command. Consequently, multiple characters can be flexibly and strategically controlled to take advantage of the specific features of each character.

Thus, the invention enables a player, who controls one of the characters engaged in a battle, to be aware of the action sequence during a battle. As seen in Fig. 5B, the action sequence 502 can be displayed on a screen along a vertical axis. In Fig. 5B, the display indicates that LULU's turn is first, then KIMARI's turn, then the BOSS' turn, etc.

In order to determine the action sequence, data associated with each character is compared. The data can be based upon the action the character takes, can be based upon a preset characteristic, e.g., speed, and can be based upon the character's status, e.g., whether a slow spell has been cast upon the character. *See* paragraphs 105 - 110.

An advantage of displaying the action sequence based upon the action the character will perform is that the player can see how different actions will change the sequence. For example, as shown in Fig. 5B, if the character selects “FIGHT” as the action, character LULU gets the first and seventh turns. If, however, the character selects “ITEM” as the action, LULU acts first and fourth. *See* paragraphs 115 - 119, 126, and 127.

In one embodiment, the player can scroll through the action sequence. For example, the screen may currently display the first eight actions, i.e., action one through action eight. In this embodiment, the player can scroll ahead to view the next eight actions, i.e., actions nine through sixteen. *See* paragraphs 120 and 121.

In another embodiment, two axes of the displayed action sequence have significance. Referring to Fig. 7, a time axis 716x is also present. Characters are displayed along the time axis, in addition to being displayed along the vertical axis, to indicate more detail about when each character is going to act. For example, character A (in frame 701) is closer to character B (in frame 702) along the time axis than the character in frame 703 is from character C (in frame 704). Thus, it can be concluded that character B will act more immediately following character A than the character in frame 703 will act after character C. Such information is useful to the player for planning how to act. *See* paragraphs 144 and 145.

P21330.A07

(6) ISSUES

Whether claims 7, 9, 24, 31, 38, 52, and 59 are indefinite under 35 U.S.C. §112, second paragraph.

Whether claims 1 - 4, 7 - 10, 18 - 21, 24 - 28, 31 - 36, 38, 46 - 49, 52 - 56, and 59 - 64 are obvious over PERRIN et al. in view of PETERSON et al. in further view of TUFTE under 35 U.S.C. §103(a).

(7) GROUPING OF CLAIMS

Although all claims stand rejected under 35 U.S.C. § 103 over the combination of PERRIN, PETERSON and TUFTE, the claims do not all stand or fall together.

(a) Claim 1 and claims dependent therefrom

Independent claim 1 and claims 2 through 4 dependent from claim 1 will stand or fall together.

Claim 7 is separately patentable from, and does not fall with, claim 1.

Claim 8 is separately patentable from, and does not fall with, claim 1.

Claim 9 is separately patentable from, and does not fall with, claim 7.

Claim 10 is separately patentable from, and does not fall with, claim 1.

(b) Independent Claims 18, 25, 32, 46 and 53, and claims dependent therefrom

Claims 18 - 21 stand or fall together.

Claim 25 - 28 stand or fall together.

P21330.A07

Claims 32 - 36 stand or fall together.

Claims 46 - 49 stand or fall together.

Claims 53 - 56 stand or fall together.

Claim 24 is separately patentable from, and does not fall with, claim 18. Claim 31 is separately patentable from, and does not fall with, claim 25. Claim 38 is separately patentable from, and does not fall with, claim 32. Claim 52 is separately patentable from, and does not fall with, claim 46. Claim 59 is separately patentable from, and does not fall with claim 53.

Claim 60 is separately patentable from, and does not fall with, claim 18.

Claim 61 is separately patentable from, and does not fall with, claim 25.

Claim 62 is separately patentable from, and does not fall with, claim 32.

Claim 63 is separately patentable from, and does not fall with, claim 46.

Claim 64 is separately patentable from, and does not fall with, claim 53.

(8) ARGUMENT

Claims 7, 9, 24, 31, 38, 52, and 59 Are Not Indefinite under 35 U.S.C. §112, Second Paragraph

Claim 7 satisfies the requirements of 35 U.S.C. §112, second paragraph. Claim 7 recites the computer-readable data storage medium described in claim 1 wherein, when the action sequence is displayed on the screen, the action sequence from the character appearing

P21330.A07

in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action can be changed. As the claim language makes clear, the action sequence can be changed in response to a player command to display an action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn. In other words, a player command can change which turns are currently displayed.

Claim 9 satisfies the requirements of 35 U.S.C. §112, second paragraph. Claim 9 recites the computer-readable data storage medium as described in claim 7, wherein when changing the displayed action sequence, a controller part name indicating a direction of change is displayed to match the direction of change. As the skilled worker recognizes, a controller may have several parts, such as a joystick and buttons. A controller may have several different buttons, including an R1 button, an R2 button, an X button, etc. Fig. 7 shows display of R1 (711), which is the name of the R1 button of the controller. Fig. 7 also shows display of R2 (712), which is the name of the R2 button of the controller.

Claim 24 satisfies the requirements of 35 U.S.C. §112, second paragraph. Claim 24 recites the video game processing method as described in claim 18, wherein, displaying the action sequence further comprises changing the action sequence from the character appearing in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action. As the claim language makes clear, the changing occurs in

P21330.A07

response to a player command to display the action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn. In other words, a player command can change which turns are currently displayed.

Claim 31 satisfies the requirements of 35 U.S.C. §112, second paragraph. Claim 31 recites the video game processing apparatus as described in claim 25, wherein, when the action sequence is displayed, the action sequence from the character appearing in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action can be changed. As the claim language makes clear, the action sequence can be changed in response to a player command to display the action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn. In other words, a player command can change which turns are currently displayed.

Claim 38 satisfies the requirements of 35 U.S.C. §112, second paragraph. Claim 38 recites the computer-readable data storage medium as described in claim 32, wherein, when the action sequence is displayed on the screen, the action sequence from the character appearing in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action can be changed. As the claim language makes clear, the action sequence can be changed in response to commands from the players to display the action sequence of actions after a turn selected by a player to the predetermined

P21330.A07

number of turns after the selected turn. In other words, a player command can change which turns are currently displayed.

Claim 52 satisfies the requirements of 35 U.S.C. §112, second paragraph. Claim 52 recites the video game processing method as described in claim 46, wherein, the displaying further comprises changing, the action sequence from the character appearing in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action in response to commands from the players to display the action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn. In other words, a player command can change which turns are currently displayed.

Claim 59 satisfies the requirements of 35 U.S.C. §112, second paragraph. Claim 59 recites the video game processing apparatus as described in claim 53, wherein, when the action sequence is displayed on screen, the action sequence from the character appearing in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action can be changed in response to commands from the players to display the action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn. In other words, a player command can change which turns are currently displayed.

P21330.A07

It is therefore requested that the examiner's 35 U.S.C. §112, second paragraph rejections be overturned.

Claims 1 - 4, 7 - 10, 18 - 21, 24 - 28, 31 - 36, 38, 46 - 49, 52 - 56, and 59 - 64 Are Not

Obvious over PERRIN et al. in View of PETERSON et al. in Further View of

TUFTE under 35 U.S.C. §103(a)

The References Relied upon by the Examiner Are Non-analogous

The references relied upon by the examiner are non-analogous. "Two criteria have evolved for determining whether prior art is analogous: (1) whether the art is from the same field of endeavor, regardless of the problem addressed, and (2) if the reference is not within the field of the inventor's endeavor, whether the reference still is reasonably pertinent to the particular problem with which the inventor is involved. *In re Deminski*, 796 F.2d 436, 442, 230 USPQ 313, 315 (Fed. Cir. 1986); *In re Wood*, 599 F.2d 1032, 1036, 202 USPQ 171, 174 (CCPA 1979)."

PERRIN et al. is related to a pen and paper game. PETERSON et al. is also related to a pen and paper game. TUFTE is related to using graphics to display quantitative information.

P21330.A07

Generally speaking, the present invention is related to video games. More specifically, the present invention relates to a computer readable data storage medium recording a video game program for controlling a battle between characters; a video game processing method for controlling a battle between characters; a video game processing apparatus; a computer readable data storage medium recording a video game program enabling a plurality of players to participate over a network and controlling a battle between player characters each controlled by a player and at least one enemy character; and a video game processing method enabling a plurality of players to participate over a network and controlling a battle between player characters each controlled by a player and at least one enemy character.

The pen and paper games of PERRIN et al. and PETERSON et al. and the general ideas about graphics from TUFTE are not from the same field of endeavor as the presently claimed invention.

Moreover, the applied references are not pertinent to the problem with which the inventors are involved. The inventors solved the problem of not being able to view a battle sequence on a display screen. TUFTE is completely unrelated to games and therefore does not pertain to displaying the sequence of turns of the different characters. PERRIN et al. and PETERSON et al. relate to games, but not video games. The references do not involve any

• P21330.A07

type of display on a display screen and therefore do not pertain to display of a battle sequence.

There Is No Motivation to Combine PERRIN et al. or PETERSON et al. with TUFTE

Even if the references are considered analogous (which they are not), there is no suggestion, motivation, incentive, or reason to combine them in the manner proposed by the examiner, except that provided in appellant's specification. "[T]he record must provide a teaching, suggestion, or reason to substitute computer-controlled valves for the system of hoses in the prior art. The absence of such a suggestion to combine is dispositive in an obviousness determination." *See SmithKline Diagnostics, Inc. v. Helena Lab. Corp.*, 859 F.2d 878, 886-87, 8 USPQ2d 1468, 1475 (Fed. Cir. 1988).

First and foremost, the PERRIN et al. and PETERSON et al. references do not discuss video games, computer graphics, or any reason for generating graphics during gameplay. PERRIN et al. and PETERSON et al. are pen and paper games, which do not have a computer screen for display. TUFTE is also unrelated to video games. Moreover, TUFTE does not relate to any type of game.

Second, players participating in a pen and paper game, which is already slow, would have no reason to be looking for graphics. As the examiner admits on page 4 of the October 30, 2003, Office Action, players can become bored with the time it would take to compute

P21330.A07

the data relating to the battle sequence. Why would one of ordinary skill in the art search for a way to slow the battle sequence computations, such as drawing the characters? The additional time it would take to repeatedly draw the characters along a time axis would greatly inhibit the game progress. Each time a different battle occurs, and even within each battle (e.g., when a character changes from a quick weapon to a slow weapon) the action sequence would change. Thus, someone would frequently have to take the time to redraw the battle sequence, including the actual characters. Even drawing the characters a single time would be a rather time consuming task. Recreating and re-drawing the action sequence with every change that reorders the action sequence would be agonizingly slow. The pace of a pen and paper game obviates the desire for introduction of graphics into the game. Consequently, it is submitted that one of ordinary skill in the art would not be interested in modifying the teachings of PERRIN et al. and PETERSON et al. to include graphics as taught by TUFTE.

Pen and paper games rely upon and relish the player's imagination. Adding graphics to a pen and paper game is plainly contrary to the spirit of such a game. Players enjoy imagining the fantasy world created by the game and would become distracted by any graphics. Actually drawing the characters provides concrete visual representations that may be contrary to the player's imagined characters. For example, we have all spoken on the telephone with someone and imagined how that person looks. Actually seeing the person and

P21330.A07

realizing our image was incorrect can impact our entire preconceived ideas about that person. Shattering the player's imagined vision deters further use of the imagination and thus reduces enjoyment of the game. Consequently, for this additional reason it is submitted that one of ordinary skill in the art would not be interested in modifying the teachings of PERRIN et al. and PETERSON et al. to include graphics as taught by TUFTE.

TUFTE also provides no motivation for combination with the pen and paper games of PERRIN et al. and PETERSON et al. TUFTE states that excellence in statistical graphics consists of complex ideas communicated with clarity. It is submitted that the simple idea of who will play next (or who will have the next several turns) is not what TUFTE contemplated when discussing complex statistical computations. Throughout the few pages the examiner provided, TUFTE discusses how complex data can be presented simply. The simple and clear chart of PETERSON et al. is not the type of complex data that TUFTE would consider when recommending graphics for clarification.

The examiner argued during the telephonic interview that PETERSON et al.'s chart (discussed on page 51) is confusing. The chart is sufficiently simple that one of ordinary skill in the art, e.g., a gamer, would have no problem understanding that chart.

The examiner asserts that PETERSON et al.'s "chart fails the goals of Tufte in that: it does not: induce the viewer to think about the substance, avoid distortion, make the data

· P21330.A07

set coherent, encourage the eye to compare, reveal the data at several levels, or serve a clear purpose.

Actually, the chart meets many of these goals. The chart permits a viewer to think about the substance of the data, i.e., during which segment a character having a certain speed will act. PETERSON et al. state on page 51: “The chart below gives the character’s speed and the segments that character executes his phases.” PETERSON et al. also state at page 50 “The order of combat is determined first by the different speeds of the characters, and then by the DEX of the characters.” Thus, the chart is only part of the calculation in determining the order.

The examiner’s argument (on page 9 of the October 30, 2003 Office Action) that the chart is intended to show which character is next is clearly incorrect. The chart is only part of the order of combat calculation. Contrary to the express statements within the reference, the examiner is viewing PETERSON et al.’s chart through the lens of the presently claimed invention in order to believe the chart is intended to show which character is next.

PETERSON et al.’s chart already avoids distortion. The chart clearly shows during which segments a character with a selected speed would act. An “X” in a row indicates that the character of a certain speed will act in the segment corresponding to that row. The chart is not intended to present who would be next or present the order of the character for a number of characters in a small space, contrary to the examiner’s assertions on page 9 of the

• P21330.A07

Office Action. The chart is only part of a calculation for determining the sequence and clearly shows its part: in which segment a character of a certain speed will act.

The examiner states that the combination of TUFTE and PETERSON et al.'s chart would serve "a clear purpose of identifying who will go next without the graphical confusion present in PETERSON et al." Again, the examiner is using hindsight in viewing the purpose of PETERSON et al.'s chart. Although the chart is part of a battle sequence calculation, the chart is not intended to identify who will go next. The chart serves the clear purpose of indicating in which segments a character of a particular speed will act, satisfying another of TUFTE's goals. There is no confusion in first determining a character's speed to find the correct column, and second, finding the Xs in that column to determine the segments in which the character will act. The use of the speed chart is very straightforward.

Because the chart of PETERSON et al. is clear, there would be no motivation to consider using graphics (as taught by TUFTE) for further clarification. Moreover, even if additional graphics were used in PETERSON et al. and PERRIN et al.'s pen and paper games, there is no reason why one of ordinary skill in the art would further arrive at the idea of displaying the battle sequence, including the characters, along an axis.

Consequently, there is no motivation to combine PERRIN et al. or PETERSON et al. with TUFTE, and no motivation exists for combining TUFTE with PERRIN et al. or PETERSON et al.

The Combination of PERRIN et al., PETERSON et al., and TUFTE Does Not Teach or Suggest All of the Limitations of Claim 1

Even if combined, the references fail to teach all the limitations, namely: Claim 1 requires a computer readable data storage medium recording a video game program for controlling a battle between at least one player character and at least one enemy character on a screen, the program causing the computer to . . . display on the screen player characters and enemy characters along an axis indicating an action sequence. An example of a displayed action sequence is shown in Figs. 5B and 5C.

In contrast the applied references do not teach or render obvious to one having ordinary skill in the art a data storage medium recording a video game program, the program causing the computer to display characters along an axis indicating an action sequence.

On page 7 of the Office Action of October 30, 2003, the examiner concedes that PERRIN et al. and PETERSON et al. do not disclose displaying on the screen characters along an axis. “Though Perrin et al. disclose usage of a chart to indicate the order of play for each character by associating a speed with a battle segment, neither Peterson et al. nor Perrin et al. disclose that the display of action order includes displaying on the screen the actual characters along an axis.” The examiner separately concedes that PERRIN et al. do not disclose displaying the action sequence once it has been determined. “However, Perrin et

• P21330.A07

al. do not disclose a method of displaying the sequence of action once it has been determined.” *See* page 5 of October 30, 2003, Office Action.

The examiner argues, however, that TUFTE’s teachings, when combined with PERRIN et al. and PETERSON et al. suggest such a feature.

In fact, TUFTE is unrelated to video games and teaches nothing pertaining to the specific concept of character display along an axis to show an action sequence. Instead, TUFTE discloses the general abstract concept that data graphics provide an effective way to describe and summarize a set of numbers. *See* Introduction of TUFTE.

The examiner also relies upon TUFTE’s disclosure of animal characters. The examiner states on page 8 of her October 30, 2003, Office Action that TUFTE shows use of characters to represent position. The excerpt of the reference relied upon by the examiner does not state or even suggest that the characters represent position. Page 36 states “the movement of a starfish turning itself over (read images from bottom upwards), the undulations of the dorsal fin of a descending sea-horse, as well as the advance of the gecko.” Page 36 of TUFTE only teaches that movement of an animal can be shown. Whether the characters (or their movement) represent anything, much less position, is not apparent from or suggested by the excerpt provided. Displaying actual game characters along a time axis to indicate an action sequence is a significant jump from the idea of displaying motion of random animals, e.g., a gecko advancing, a starfish turning, etc. *See* page 36 of TUFTE.

• P21330.A07

The examiner states “the showing of using characters to represent position in Tufte” provides a motivation . . . Page 36 of TUFTE says nothing about using characters to represent position. Page 36 merely shows a starfish turning itself over, a sea horse with undulating dorsal fins and an advancing gecko. The excerpt of the reference supplied to applicants also does not suggest that the characters represent position. Any argument resting on the examiner’s faulty premise can not be true.

PERRIN et al. and PETERSON et al. explain how to determine an action sequence, but do not teach display of an action sequence including displaying on the screen the actual characters along an axis, as the examiner concedes. TUFTE teaches use of graphics. The idea of determining how to generate an action sequence and the idea of using graphics (including characters) do not add up to displaying characters along an axis to indicate the sequence. The combination would, at best, result in using graphics to help determine calculation of an action sequence. The proposed combination of the applied references provides no teaching or suggestion of actually displaying the characters along an axis to indicate the sequence.

Although the examiner admits that PETERSON et al. do not disclose displaying the action sequence by displaying the characters along an axis, she erroneously relies upon PETERSON et al. for *indicating* the action sequence. In particular, she relies upon PETERSON et al.’s speed chart.

The speed chart discussed on page 51 of PETERSON et al. does not teach or suggest placing characters along an axis to *indicate* an action sequence. Rather, the chart only helps determine when a character will act.

The chart shows twelve speeds in the first row. Twelve time segments appear in the first column. In order to use the speed chart, a character's speed is determined. Then, the determined speed value is located in the first row. For example, if the character's speed is determined to be two, the column having "2" in the first row is selected. Every X in that speed column represents a segment when the character may act. In the above example, there are Xs in the sixth and twelfth rows. Thus, the character having a speed of two can act twice: in the sixth and twelfth segments.

Although generic character speeds are displayed, an action sequence of the characters is not actually displayed. In fact, determining which segment a character can act in is only part of the battle sequence determination. PETERSON et al. state at page 50 "The order of combat is determined first by the different speeds of the characters, and then by the DEX [dexterity] of the characters." Thus, because the chart is only part of the calculation in determining the order, the chart is not intended to place characters upon an axis indicating the sequence of action.

The chart of PETERSON et al. could be used to help calculate an action sequence. No discussion or suggestion of displaying the sequence (once it is calculated) is provided.

P21330.A07

The pen and paper game disclosed by PETERSON et al. provide no reason for displaying an action sequence after it is calculated.

The examiner mischaracterizes the teachings of the PETERSON et al. and TUFTE references. Her reliance upon her inaccurate portrayal of the references leads to erroneous conclusions.

An example of an inaccurate characterization of PETERSON et al. appears on page 6 and again at page 7¹ of the October 30, 2003, Office Action. The examiner states that “the chart [of PETERSON et al.] indicating the order in which the characters participate in each battle” would be displayed. The chart does not *indicate* the order. The chart merely enables a player to calculate part of an order. “Indicate” is defined in The American Heritage Dictionary, Second College Edition (1982) as: “1. To demonstrate or point out, 2. To serve as a sign, symptom, or token of, 3. To suggest or demonstrate the necessity, expedience, or advisability of, 4. To state or express briefly.” PETERSON’s chart does not demonstrate, point out, serve as a sign of, suggest or demonstrate the necessity, expedience or advisability of, or state or briefly express the action sequence. The chart is only a tool that helps a player determine part of the order. As noted above, the chart, along with the DEX (dexterity) of the characters is required to fully determine the order of play.

¹ Although the Office Action refers to PERRIN et al., it is assumed that the examiner meant PETERSON et al. because PERRIN et al. do not disclose a speed chart.

P21330.A07

The examiner also mischaracterizes PETERSON et al. at page 9 of the October 30, 2003, Office Action. The examiner states that “By incorporating the display of the characters along the axis to indication [sic] sequence, the graphic (which would thus present the same information attempted by Peterson et al.) would show the data . . .” PETERSON et al. do not attempt to display characters along an axis to indicate a sequence. PETERSON et al. merely provide tools for calculating the sequence. There is no discussion in PETERSON et al. (which relates to a pen and paper game) of attempting to actually display the characters along an axis, as the examiner admits at one point in her arguments. *See* page 7 of the October 30, 2003, Office Action.

Both PETERSON et al. and PERRIN et al. relate to pen and paper games, and not video games. The examiner must go beyond the teachings of the two references to apply the references to claims for a video game, which she does based on the naked assertion that “it is notoriously well known in the art.” Neither of the two references teach display of an action sequence.² She must further extend the teachings of the references to read on claims including such a limitation. Clearly, the examiner is stretching the teachings/suggestions of the references well beyond their actual disclosure, so much so that the rejections are improper.

² The examiner only admits that PERRIN et al. do not teach display of the action sequence. *See* page 5 of October 30, 2003, Office Action.

P21330.A07

In sum, the examiner admits that PERRIN et al. and PETERSON et al. do not disclose display of the game characters (players and enemies) along an axis to indicate the sequence, and TUFTE's abstract ideas of using graphics do not even relate to video games, much less the very specific, novel, and non-obvious idea of displaying the game characters along an axis to indicate the sequence. Consequently, the combination of the references do not teach or suggest all of the limitations of claim 1.

The Combination of PERRIN et al., PETERSON et al., and TUFTE Does Not Teach
or Suggest All of the Limitations of Claims 18, 25, 32, 46, and 53

Even if combined, the references fail to teach all the limitations of independent claims 18, 25, 32, 46, and 53. For example, claim 18, require a video game processing method for controlling a battle between at least one player and at least one enemy character on a screen, the video game processing method comprising . . . displaying the action sequence, from the character in the current action to the character acting a number of turns after the current character, in a specific window on the display device. Fig. 5A shows an example of the specific window 502. None of the references teach or suggest these features.

Claim 25 requires a video game processing apparatus comprising: a storage that stores a video game program . . .; a computer . . .; and a display device . . .; the computer running the program and executing: . . . displaying the action sequence, from the character in the

· P21330.A07

current action to the character acting a number of turns after the current character, in a specific window on the display device. None of the references teach or suggest these features.

Claim 32 recites a computer readable data storage medium recording a video game program enabling a plurality of players to participate over a network and controlling a battle between a plurality of player characters each controlled by a player and at least one enemy character, the program causing the computer to execute . . . displaying the action sequence, from the character in the current action to the character acting a number of turns after the current character, in a specific window on a screen. None of the references teach or suggest these features.

Claim 46 requires a video game processing method enabling a plurality of players to participate over a network and controlling a battle between a plurality of player characters each controlled by a player and at least one enemy character, the program causing the computer to execute . . . displaying the action sequence, from the character in the current action to the character acting a number of turns after the current character, in a specific window on a screen. None of the references teach or suggest these features.

Claim 53 recites a video game processing apparatus comprising: a storage that stores a video game program enabling a plurality of players to participate over a network and controlling a battle between a plurality of player characters each controlled by a player and

• P21330.A07

at least one enemy character, a computer for running a program read from the storage; and a display device disposed as an output for the computer; and characterized by the computer running the program and executing . . . displaying the action sequence, from the character in the current action to the character acting a number of turns after the current character, in a specific window on the display screen. None of the references teach or suggest these features.

The examiner has not addressed all of the limitations of claims 18, 25, 32, 46, and 53 in either of her Office Actions.

As noted earlier, PERRIN et al. and PETERSON et al. are not computer games. The examiner argues it would have been obvious to modify PERRIN et al. and PETERSON et al. to be computer games. Even if PERRIN et al. and PETERSON et al. were computer games, there would still be no teaching or suggestion in either reference for display within a specific window, or any window whatsoever, for that matter. Moreover, PERRIN et al. and PETERSON et al. do not disclose or suggest displaying an action sequence. Even if they were directed to computer games, there would still be no disclosure of displaying any action sequence, much less displaying the sequence in a specific window. As noted above, the examiner does not even assert that these limitations are suggested by the applied references.

Claims 32, 46, and 53 pertain to network video games. The examiner does not cite any reference against such a limitation, instead relying on unsupported assertions. For

.P21330.A07

example, at page 5 of the October 30, 2003, Office Action the examiner states “as a last function of computerizing Perrin et al., it would have been obvious to one of ordinary skill in the art to allow the computers running the game to be networked in order to provide players with a chance to battle other players in a live environment . . . [I]t is notoriously well known in the art [for] networking the computer into other computers for uses such as an online gaming environment . . .”

Because none of the applied references relate to computer games, the applied references do not suggest a network video game.

The Combination of PERRIN et al., PETERSON et al., and TUFTE Does Not Teach or Suggest All of the Limitations of Claims 7, 9, 24, 31, 38, 52, and 59

Claims 7, 9, 24, 31, 38, 52, and 59 require in various ways changing display of the action sequence. For example, if the player were viewing the first eight turns, the player could scroll the screen to view turns nine through fifteen.

The examiner inaccurately states that “Peterson et al. allows the action sequence for the current as well as future battles to be displayed on the screen.” *See* page 9 of the October 30, 2003, Office Action. As stated above, PETERSON et al. is a pen and paper game that does not display any action sequence.

The examiner then concedes that PETERSON et al. “does not disclose that a player prompt can change the display to a specific segment.” *Id.* Instead, the examiner relies on the general abstract teachings of TUFTE to teach the claim limitation. TUFTE does not refer to any type of changing a displayed action sequence or changing of a computer graphic. TUFTE, in fact, relates to static graphics, perhaps hand drawn. The reference is silent with respect to displaying the graphics on a computer screen, and thus cannot teach or suggest changing the screen to show additional information.

The examiner further discusses the benefit changing the display would provide to PERRIN et al., stating “a display allowing the player to get information regarding the battle for a specific sequence would be an asset to the player . . . ” *Id.* at page 10. Of course, because PERRIN et al. teach a pen and paper game, there would be no display. Without a display there would be no reason for changing the display.

Consequently, it is submitted that the proposed combination does not teach the limitations of claims 7, 9, 24, 31, 38, 52, and 59.

Claim 9 recites an additional limitation not taught or suggested by the proposed combination. Claim 9 recites displaying a controller part name to indicate a direction of change. Element 711 of Fig. 7 and paragraph 147 discuss and show an example. In Fig. 7, an icon 711 representing the R1 button on the controller is displayed. The icon 711 indicates that the R1 button functions as an upward scroll button.

The examiner again relies on the general teaching of TUFTE involving clarity and readability of graphics to show the claim limitation. *Id.* The examiner's reliance on such a general concept appears to acknowledge that TUFTE does not specifically teach or suggest displaying a controller part name. The references do not suggest the claim limitation because none of the applied references relate to video games or computers. Thus, none of the applied references relate to controllers. In addition, none of the references relate to changing a display screen. Thus, none of the references can relate to displaying a controller part name associated with changing the display.

The Combination of PERRIN et al., PETERSON et al., and TUFTE Does Not Teach or Suggest All of the Limitations of Claims 8 and 60 - 64

Claims 8 and 60 - 64 recite in various ways a time axis that intersects the action sequence axis and that indicates the timing of each action. These claims also require the player and enemy characters to be placed along the action sequence axis, similar to claim 1. In addition, claims 8 and 60 - 64 require adjusting the characters along the time axis.

Fig. 7 shows an example of a two axis display. Paragraphs 144 and 145 describe a two axis sequence window. The two axis system enables a viewer to not only know which characters will act next, but also how soon each character will act. That is, the further to the right each icon is placed, the later in time the character will act. A small difference between

• P21330.A07

two icons along the time axis indicates that the second character will act fairly quickly after the first character. A large difference along the time axis indicates the second character will act less quickly after the first character.

The paragraph bridging pages 8 and 9 of the October 30, 2003, Office Action states that “based upon the suggestion of TUFTE and the showing of using characters to represent position in Tufte, one of ordinary skill in the art would be motivated to display the information of the battle order in a clear and concise way in which the characters would all be placed along an axis to indicate sequence of action wherein the axis is based on time as is known in the art for graphs (x intercepts y), for the reader to understand the time/action relationship.”

The examiner’s arguments only appear to address a single axis display, i.e., an action sequence axis based upon time. In addition, the faulty premise upon which the argument rests, (TUFTE does not actually show characters to represent position, as discussed above) leads to an incorrect conclusion.

Clearly, the applied references do not teach a time axis intersecting an action sequence axis. The references do not teach either axis, much less both. The examiner does not appear to address the limitation of two axes, only discussing an action sequence axis based on time.

Moreover, the applied references do not teach adjusting the characters along the time axis. The examiner also does not bother to address this limitation. Even if the time axis

• P21330.A07

were taught or suggested (which it is not), there is no teaching or suggestion of the adjustment. In PETERSON et al. and PERRIN et al.'s world of pen and paper games, such an adjustment would be extremely onerous. Finally, the applied references do not teach displaying the enemy and player characters on the action sequence axis, as discussed above with respect to claim 1.

Thus, for at least these reasons, it is submitted that the rejections of claims 8 and 60 - 64 are improper.

The Combination of PERRIN et al., PETERSON et al., and TUFTE Does Not Teach
or Suggest All of the Limitations of Claim 10

Claim 10 recites a first marker displayed at a next action opportunity of the character. Claim 10 also recites a second marker displayed at a next action opportunity of the enemy character being attacked by the player character. Fig. 7, shows an example of a first marker 713a or 713b, and a second marker 714.

The examiner does not specifically address either of these limitations in her Office Actions. Rather she makes a general assertion, stating that “[o]ne of ordinary skill in the art would understand markers of a sort would be used to indicate the actions of the characters in order to properly display the data.” *See* page 9 of October 30, 2003, Office Action.

Because none of the applied references even display an action sequence, none of the applied references teach or suggest displaying markers when the action sequence is displayed. Using markers because one of ordinary skill would “understand” to do so is not a proper basis for a rejection of the specific claim limitations. That is, the examiner does not refer to any teaching or suggestion in any of the applied references for a first marker displayed at a next action opportunity of the character and a second marker displayed at a next action opportunity of the enemy character being attacked by the player character. The examiner only asserts that “markers of a sort” would be used. This general assertion does not yield an arrangement fulfilling the claim limitation.

The examiner’s reasoning why one of ordinary skill in the art would use markers is in error. She asserts that markers would be used “to properly display the data.” However, the data could be “properly” displayed without such markers. The markers provide additional information, i.e., visual cues to help indicate when certain characters will act. This additional information is not required for proper display, but rather the markers are another feature improving the display.

Therefore, for at least these reasons it is submitted that claim 10 is patentable.

(9) CONCLUSION

Claims 7, 9, 17, 24, 31, 38, 45, 52, and 59 are not indefinite under 35 U.S.C. §112, second paragraph.

P21330.A07

Claims 1 - 4, 7 - 10, 18 - 21, 24 - 28, 31 - 36, 38, 46 - 49, 52 - 56, and 59 - 64 are allowable and are not properly rejected under 35 U.S.C. §103(a) as being obvious over PERRIN et al. in view of PETERSON et al. in further view of TUFTE.

The applied references are non-analogous art.

Even if the art is analogous, it is submitted that there is no motivation to combine the applied references.

Even if combined, the references fail to teach all the limitations, namely:

With respect to independent claim 1, the applied references do not teach or suggest displaying on a screen the player characters and enemy characters along an axis indicating the sequence of action.

With respect to independent claims 18, 25, 32, 46, and 53, the applied references do not teach or suggest displaying the sequence of action in a specific window on the display device.

With respect to dependent claims 7, 9, 24, 31, 38, 52, and 59, the applied references do not teach or suggest changing display of the action sequence. With respect to claim 9, the applied references additionally do not teach displaying an input controller name.

With respect to dependent claims 8 and 60 - 64, the applied references do not teach or suggest an action sequence axis that intersects a time axis. The references also do not teach or suggest adjusting positions of player and enemy characters along the time axis. In

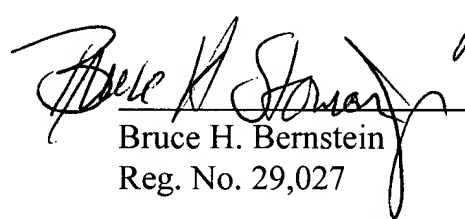
• " " P21330.A07

addition, the references do not teach displaying the action sequence on the screen and placing the enemy and player characters along the action sequence axis.

With respect to dependent claim 10, the applied references do not teach or suggest a first marker displayed at a next action opportunity of the character or a second marker displayed at a next action opportunity of the enemy character being attacked by the player character.

Thus, appellants respectfully submit that each and every pending claim of the present application meets the requirement for patentability under 35 U.S.C. §§102, 103, and 112, and that the present application and each pending claim are allowable over the prior art of record.

Respectfully submitted,
Toshiro TSUCHIDA et al.

 Reg No 55,915
Bruce H. Bernstein
Reg. No. 29,027

March 29, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

APPENDIX

1. A computer-readable data storage medium recording a video game program for controlling a battle between at least one player character and at least one enemy character on a screen, the program causing the computer to:

calculate data determining an action sequence for each character based on specific information about the character when the battle is begun, the specific information stored with a correlation to each of the characters;

compare the data calculated for each character;

determine an action sequence for the characters according to a result of the comparison; and

display on the screen the player characters and enemy characters along an axis indicating the sequence of action.

2. The computer-readable data storage medium as described in claim 1, wherein the specific information includes information preset according to an action the player character is to perform.

3. The computer-readable data storage medium as described in claim 1, wherein the specific information includes information preset according to a characteristic applied to each of the characters in a current moment in the game.

4. The computer-readable data storage medium as described in claim 1, wherein the specific information includes information preset according to a status of each of the characters, the status derived from video game progress.

5. (Canceled)

6. (Canceled)

7. The computer-readable data storage medium as described in claim 1 wherein, when the action sequence is displayed on the screen, the action sequence from the character appearing in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action can be changed in response to a player command to display the action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn.

8. The computer-readable data storage medium as described in claim 1, wherein when the action sequence is displayed on the screen the player characters and enemy characters are placed along the axis indicating the sequence of action, and the positions of the placed player characters and enemy characters are adjusted along a time axis, the time axis intersecting the action sequence axis and indicating the timing of each action.

9. The computer-readable data storage medium as described in claim 7, wherein when changing the displayed action sequence, a controller part name indicating a direction of change is displayed to match the direction of change.

10. The computer-readable data storage medium as described in claim 1, wherein when the determined action sequence is displayed, a first marker is displayed at a next action opportunity of the character in the current action, and a second marker is displayed at a next action opportunity of the enemy character being attacked by the player character.

11 - 17. (Canceled)

18. A video game processing method for controlling a battle between at least one player character and at least one enemy character on a screen, the video game processing method comprising:

calculating data determining an action sequence for each character based on specific information about the character when the battle is begun, the specific information stored with a correlation to each of the characters;

comparing the data calculated for each character;

determining an action sequence for the characters according to a result of the comparison; and

displaying the action sequence, from the character in the current action to the character acting a number of turns after the current character, in a specific window on the screen.

19. The video game processing method as described in claim 18, wherein the specific information includes information preset according to an action the player character is to perform.

20. The video game processing method as described in claim 18, wherein the specific information includes information preset according to a characteristic applied to each of the characters in a current display screen.

21. The video game processing method as described in claims 18, wherein the specific information includes information preset according to a status of each of the characters, the status derived from video game progress.

22. (Canceled)

23. (Canceled)

24. The video game processing method as described in claim 18, wherein, displaying the action sequence further comprises changing, the action sequence from the character appearing in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action in response to a player

• ' ' ' P21330.A07

command to display the action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn.

25. A video game processing apparatus comprising:

a storage that stores a video game program controlling a battle between at least one player character and at least one enemy character on a screen;

a computer for running a program read from the storage; and

a display device disposed as an output for the computer; and

characterized by the computer running the program and executing:

calculating data determining an action sequence for each character based on specific information about the character when the battle is begun, the specific information stored with a correlation to each of the characters;

comparing the data calculated for each character;

determining an action sequence for the characters according to a result of the comparison; and

displaying the action sequence, from the character in the current action to the character acting a number of turns after the current character, in a specific window on the display device.

26. The video game processing apparatus as described in claim 25, wherein the specific information includes information preset according to an action the player character is to perform.

27. The video game processing apparatus as described in claim 25, wherein the specific information includes information preset according to a characteristic applied to each of the characters in a current display screen.

28. The video game processing apparatus as described in claim 25, wherein the specific information includes information preset according to a status of each of the characters, the status derived from video game progress.

29. (Canceled)

30. (Canceled)

31. The video game processing apparatus as described in claim 25, wherein, when the action sequence is displayed, the action sequence from the character appearing in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action can be changed in response to a player command to display the action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn.

32. A computer-readable data storage medium recording a video game program enabling a plurality of players to participate over a network and controlling a battle

P21330.A07

between a plurality of player characters each controlled by a player and at least one enemy character, the program causing the computer to execute:

calculating data determining an action sequence for each character based on specific information about the character when the battle is begun, the specific information stored with a correlation to each of the characters;

comparing the data calculated for each character;

determining an action sequence for the characters according to a result of the comparison; and

displaying the action sequence, from the character in the current action to the character acting a number of turns after the current character, in a specific window on a screen.

33. The computer-readable data storage medium as described in claim 32, wherein the specific information includes information preset according to an action each of the player characters is to perform.

34. The computer-readable data storage medium as described in claim 32, wherein the specific information includes information preset according to a characteristic applied to each of the characters in a current display screen.

• " ' P21330.A07

35. The computer-readable data storage medium as described in claim 32, wherein the specific information includes information preset according to a status of each of the characters, the status derived from video game progress.

36. The computer-readable data storage medium as described in claim 32, further recording a program for reporting on a screen to each of the players the determined action sequence of the characters.

37. (Canceled)

38. The computer-readable data storage medium as described in claim 32, wherein, when the action sequence is displayed on the screen, the action sequence from the character appearing in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action can be changed in response to commands from the players to display the action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn.

39 - 45. (Canceled)

46. A video game processing method enabling a plurality of players to participate over a network and controlling a battle between the plurality of player characters each controlled by a player and at least one enemy character, the program causing the computer to execute:

P21330.A07

calculating data determining an action sequence for each character based on specific information about the character when the battle is begun, the specific information stored with a correlation to each of the characters;

comparing the data calculated for each character;

determining an action sequence for the characters according to a result of the comparison; and

displaying the action sequence, from the character in the current action to the character acting a number of turns after the current character, in a specific window on a screen.

47. The video game processing method as described in claim 46, wherein the specific information includes information preset according to an action each of the player characters is to perform.

48. The video game processing method as described in claim 46, wherein the specific information includes information preset according to a characteristic applied to each of the characters in a current display screen.

49. The video game processing method as described in claim 46, wherein the specific information includes information preset according to a status of each of the characters, the status derived from video game progress.

50. (Canceled)

P21330.A07

51. (Canceled)

52. The video game processing method as described in claim 46, wherein, the displaying further comprises changing, the action sequence from the character appearing in the action currently displayed to the character acting a predetermined number of turns after the currently displayed action in response to commands from the players to display the action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn.

53. A video game processing apparatus comprising:

a storage that stores a video game program enabling a plurality of players to participate over a network and controlling a battle between the plurality of player characters each controlled by a player and at least one enemy character;

a computer for running a program read from the storage; and

a display device disposed as an output for the computer; and

characterized by the computer running the program and executing:

calculating data determining an action sequence for each character based on specific information about the character when the battle is begun, the specific information stored with a correlation to each of the characters;

comparing the data calculated for each character; and

determining an action sequence for the characters according to a result of the comparison; and

displaying the action sequence, from the character in the current action to the character acting a number of turns after the current character, in a specific window on the display screen.

54. The video game processing apparatus as described in claim 53, wherein the specific information includes information preset according to an action each of the player characters is to perform.

55. The video game processing apparatus as described in claim 53, wherein the specific information includes information preset according to a characteristic applied to each of the characters in a current display screen.

56. The video game processing apparatus as described in claim 53, wherein the specific information includes information preset according to a status of each of the characters, the status derived from video game progress.

57. (Canceled)

58. (Canceled)

59. The video game processing apparatus as described in claim 53, wherein, when the action sequence is displayed on screen, the action sequence from the character appearing in the action currently displayed to the character acting a predetermined

number of turns after the currently displayed action can be changed in response to commands from the players to display the action sequence of actions after a turn selected by a player to the predetermined number of turns after the selected turn.

60. The video game processing method as described in claim 18, wherein when the action sequence is displayed on the screen the player characters and enemy characters are placed along the axis indicating the sequence of action, and the positions of the placed player characters and enemy characters are adjusted along a time axis,

the time axis intersecting the action sequence axis and indicating the timing of each action.

61. The video game processing apparatus as described in claim 25, wherein when the action sequence is displayed on the screen the player characters and enemy characters are placed along the axis indicating the sequence of action, and the positions of the placed player characters and enemy characters are adjusted along a time axis,

the time axis intersecting the action sequence axis and indicating the timing of each action.

62. The computer-readable data storage medium as described in claim 32, wherein when the action sequence is displayed on the screen the player characters and enemy characters are placed along the axis indicating the sequence of action, and the

positions of the placed player characters and enemy characters are adjusted along a time axis,

the time axis intersecting the action sequence axis and indicating the timing of each action.

63. The video game processing method as described in claim 46, wherein when the action sequence is displayed on the screen the player characters and enemy characters are placed along the axis indicating the sequence of action, and the positions of the placed player characters and enemy characters are adjusted along a time axis,

the time axis intersecting the action sequence axis and indicating the timing of each action.

64. The apparatus as described in claim 53, wherein when the action sequence is displayed on the screen the player characters and enemy characters are placed along the axis indicating the sequence of action, and the positions of the placed player characters and enemy characters are adjusted along a time axis,

the time axis intersecting the action sequence axis and indicating the timing of each action.